

February 13, 1968

MEMORANDUM FOR THE ATTORNEY GENERAL

Enclosed you will find the following recent statements by John McCone before Congressional Committees:

1. Senate Preparedness Subcommittee, Volume 1 -- see pages 44, 52, 57, 60-61, 70;
2. Senate Preparedness Subcommittee, Volume 2 -- see pages 91 through 102 in particular, especially page 100; also see pages 105 and 115-116;
3. Mahon Appropriations Subcommittee hearings, Volume 1 -- discussion of Cuba begins on page 139;
4. Mahon Appropriations Subcommittee hearings, Volume 2 -- see pages 241-242 and 250; and especially see pages 197-199 (does this indicate that the chart shown the Committee listed a different figure as the DCI's estimate?)

On the basis of reading these hearings, I prepared the enclosed two memoranda for this afternoon's meeting: (a) advice to witnesses on matters to avoid; and (b) possible areas of questioning that may cause difficulties or divergencies (McCone has a different view on most of these).

Theodore S.orensen
Special Counsel to the President

GENERAL ADVICE TO WITNESSES

To the extent possible

1. Avoid discussing areas (policy, intelligence, military matters, etc.) outside your particular area of responsibility.
2. Avoid giving personal views at variance with governmental policy or agreed upon statements of fact.
3. Avoid contradicting or even commenting on statements attributed to other Administration witnesses.
4. Avoid speculating on what the Soviets, the Cubans, or the U. S. might do in the future; avoid predictions, especially those involving specific dates or numbers.
5. Avoid, in discussing evidence, the use of absolutes and unqualified assertions, using instead "to the best of our knowledge, there are at present. . .", "we have no reliable information to prove otherwise", "the only information which can be verified by reliable intelligence sources. . .", etc.

POSSIBLE CONGRESSIONAL QUESTIONS

I. Spring 1961 -- The Bay of Pigs, the prisoners, their exchange and their future

II. Fall 1962 -- Obtaining and reporting the facts

A. Intelligence Collection: Day in timing of flights over missile site areas? Should low-level flights have been authorized for cloudy days?

B. Intelligence Estimates and their Dissemination: Errors on number of troops? Dissemination of information restricted if it did not support government policy?

C. Testimony to Congress: Erroneous or intentionally misleading? Did Ball and W. Bundy have same information as others? Why did they not disclose CIA September 21 reports of missiles on island?

D. In General: How good was our intelligence effort? Why was Keating right before we were? Did not refugee sources prove to be reliable? Do we defend managing the news as weaponry?

III. Winter 1963 -- Facts regarding the Soviet Military Presence

A. Certainty of no missiles or nuclear warheads remaining

1. Could they be in caves? In woods? Elsewhere?
2. Did we not estimate 48 were present and see only 42 leave?
3. Repeated reports of missiles still there.
4. Is aerial surveillance sufficient without low-level flights? Without on-site inspection?
5. Was the inspection at sea which we accepted adequate?
6. If SAM's were put in to protect offensive weapons, why are SAM's still there?

B. Soviet troops

1. How many are there now? How many were there in September in October? Why was the estimate so low? Is today's estimate any better?
2. Why are they there? To protect Castro against internal or external attack? To restrain Castro from dangerous acts? To keep control over Castro and keep Chinese et al out? To aid in Latin subversion?
3. Would withdrawal of Soviet troops in any way add to our dangers (Cuban recklessness, Cuban operation of SAM's, Chinese, etc.)
4. Do we expect SAM's eventually to be turned over to Cubans?
5. Have military personnel from other bloc nations replaced departing Soviets?
6. Is there a continuing outward movement of troops?

C. Other offensive capabilities

1. Is a Soviet submarine base in existence or under construction in Cuba?
2. Are the Mig-21's a threat? How far can they go with offensive weapons?
3. Is the number of F-104's being produced?
4. Is 'offensive' and 'defensive' a valid distinction? At what point can a defensive force be so built up as to become offensive?

D. Cuba as a base for subversion

1. Evidence of its use to subvert other Latin countries?
2. Is this activity on the increase?
3. Link to Venezuela? to British Guiana?
4. What steps are we taking to halt this?
5. Is Castro gaining or losing stature in Latin America?

E. In general

1. Is Cuba, or the Soviet military presence on Cuba, a threat to the security of the U. S. or the hemisphere? Do we -- and should the Congress and this country -- view it with alarm, concern, suspicion, or confidence?
2. Is that threat increasing, decreasing or static in 1963?

IV. 1963 and hereafter: Questions of Policy

- A. The Soviet military presence-- is our objective to effect its removal, how quickly and by what means?
- B. Is it more difficult to invade Cuba now than it was last October? July? April 1961?
- C. Is the Monroe Doctrine being violated?
- D. What steps are we taking to end Castro and Communism in Cuba?
- E. Would we welcome a provocative act justifying an invasion?
- F. Does everyone in the administration view the present situation in Cuba with equal alarm and suspicion -- and has this been true in the past?
- G. Should quarantine be reimposed to force removal of troops?
- H. What do we do if SAM's fire on our planes?
- I. How do we justify flights under International Law?
- J. Have we promised not to invade Cuba?
- K. Do we look for Castro to be brought down by internal or external means? Under what circumstances would we help a rebellion?